

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 2:15-cr-04268-JB

ANGEL DELEON, et al.

Defendants.

NOTICE OF JOINDER

Defendant Anthony Ray Baca, joined by defendants Joe Gallegos, Edward Troup, Billy Garcia, Allen Patterson, Arturo Arnulfo Garcia, Daniel Sanchez, Christopher Garcia, Carlos Herrera, Rudy Perez, and Shauna Gutierrez, respectfully joins in Defendant Carlos Herrera's Motion to Suppress Involuntary Statements [Dkt. 1294], and Defendant Rudy Perez's Motion to Suppress Statement [Dkt. 1295]. While the Fifth Amendment right against compelled incrimination is a personal right and may not be asserted on another's behalf, the Tenth Circuit has held that the use of another person's coerced statements and testimony may violate a defendant's rights under the Due Process Clause of the Fifth Amendment. *See Clanton v. Cooper*, 129 F.3d 1147, 1158 (10th Cir. 1997) ("because the evidence is unreliable and its use offends the Constitution, a person may challenge the government's use against him or her of a coerced confession given by another person"). Thus, Mr. Baca has standing to join in challenging the admission of the coerced and involuntary statements of his co-defendants.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 13th day of October 2017, I filed the foregoing pleading electronically through the CM/ECF system, which caused counsel for Plaintiff and Defendants to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Theresa M. Duncan
Theresa M. Duncan